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VIA ELECTRONIC FILING

The Honorable Gregory M. Sleet
J. Caleb Boggs Federal Building
844 King Street
Wilmington, DE 19801

Re: *Merck & Co., Inc. v. Apotex, Inc.*, No. 06-230 (GMS)

Dear Judge Sleet:

In anticipation of the discovery teleconference scheduled for November 3, 2006 at 10:00 a.m. in the above-referenced matter, the parties jointly submit the following agenda item:

1. Merck's responses to Apotex's first set of requests for admission and interrogatories.

Respectfully,

/s/ Richard L. Horwitz

Richard L. Horwitz

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cc: Clerk of the Court (via hand delivery)
All Counsel of Record